

FILED *[Signature]*
OCT 18 2018

UNITED STATES DISTRICT COURT
WESTERN DISTRICT OF VIRGINIA
DANVILLE DIVISION

JULIA C. DUDLEY, CLERK
BY: *[Signature]*
DEPUTY CLERK

UNITED STATES OF AMERICA

v.

DONTE BRUCE HAWKINS

)
)
) Criminal No. 418 CR 00028
)

) In violation of:
18 U.S.C. § 924(c)(1)(A)(ii) and (B)(i)
18 U.S.C. §§ 2 and 1951

INDICTMENT

The Grand Jury charges that:

COUNT ONE

18 U.S.C. § 924(c)(1)(A)(ii) and (B)(i)

On or about May 17, 2018, in the Western District of Virginia, the defendant, DONTE BRUCE HAWKINS, did knowingly brandish, carry, and use a firearm, namely a model MP28, II, 9mm Luger caliber semiautomatic firearm, that is a short-barreled rifle as defined in 18 U.S.C. § 921(a)(8), during and in relation to a crime of violence for which he may be prosecuted in a court of the United States, that is, interference with commerce by threats and violence (Hobbs Act robbery) in violation of 18 U.S.C. § 1951.

All in violation of Title 18, United States Code, Section 924(c)(1)(A)(ii) and (B)(i).

COUNT TWO

18 U.S.C. §§ 2 and 1951

1. At all times material to this Indictment, Tobacco and More was engaged in the retail sale of tobacco, food, and other convenience store items in interstate commerce and was a business located in Danville, Virginia, which affected interstate commerce.

2. On or about May 17, 2018, in the Western District of Virginia and elsewhere, the defendant, DONTE BRUCE HAWKINS, as a principal and an aider and abettor, did unlawfully

obstruct, delay, and affect, and attempt to obstruct, delay and affect, commerce as that term is defined in 18 U.S.C. § 1951, and the movement of articles and commodities in such commerce, by robbery as that term is defined in 18 U.S.C. § 1951, in that defendant DONTE BRUCE HAWKINS did unlawfully take and obtain, and aid and abet the taking and obtaining of, personal property consisting of currency, a watch, a cell phone, and cigarettes and other tobacco products from the person of and in the presence of an employee and a customer of Tobacco and More, against their will by means of actual and threatened force, violence, and fear of injury, immediate and future, to their persons, that is by brandishing, using, and carrying the short-barreled rifle described in Count One of this Indictment.

All in violation of Title 18, United States Code, Sections 2 and 1951.

NOTICE OF FORFEITURE

1. Upon conviction of the felony offenses set forth in Count One, the defendant, DONTE BRUCE HAWKINS, shall forfeit to the United States of America:

a. any firearms and ammunition involved in the commission of the offense, or possessed in violation thereof, pursuant to 18 U.S.C. § 924(d) and 28 U.S.C. § 2461(c).


2. If any of the property described above, as a result of any act or omission of the defendant:

- a. cannot be located upon the exercise of due diligence;
- b. has been transferred or sold to, or deposited with, a third party;
- c. has been placed beyond the jurisdiction of the court;
- d. has been substantially diminished in value; or
- e. has been commingled with other property which cannot be divided without difficulty,

it is the intent of the United States to seek forfeiture of any other property of the defendant up to the value of the above-described forfeitable property, pursuant to 21 U.S.C. § 853(p).

A TRUE BILL this 18th day of October 2018.

/s/ FOREPERSON
FOREPERSON


THOMAS T. CULLEN
United States Attorney